

No. 67968

AMENDED  
APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office SEP 04 2001  
Returned to applicant for correction OCT 30 2001  
Corrected application filed NOV 19 2001  
Map filed NOV 19 2001

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The applicant **Kenneth Newby** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **Summit Spring**
2. The amount of water applied for is **10 gal. Min/0.0222 sec. ft. second-feet**
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Stock Watering**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated
  - (b) Stockwater, state number and kinds of animals to be watered **50 head of cattle**
  - (c) Other use (describe fully under No. 12. "Remarks")
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , Section 15, T.10S. R.68E. MDB&M. S28° 42' 02" E 1637' to the SE. Corner Section 15, T.10S. R.69E. MDB&M.**
6. Place of Use **NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , Section 15, T.10S. R.69E. MDB&M**
7. Use will begin about **October 1**, and end about **May 31**, of each year.
8. Description of proposed works **Spring to pipe to water trough**
9. Estimated cost of works
10. Estimated time required to construct works **2 years**
11. Estimated time required to complete the application of water to beneficial use **2 years**
12. Remarks:

By s/Scott P. Woolsey  
159 N. 1210 W.  
St. George, UT. 84770

Compared lb/ al lb/ cmf

Protested 2/1/02 by USDI BLM:

Pro. Overruled 5/5/03 See Ruling #5228

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, but not to exceed 0.00156 cubic feet per second or sufficient to water 50 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 2, 2005

Proof of completion of work shall be filed on or before:

August 2, 2005

Water must be placed to beneficial use on or before:

July 2, 2007

Proof of the application of water to beneficial use shall be filed on or before:

August 2, 2007

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 11th day of July, A.D. 2003

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_